

How the Woman's Rights Bill Works in Wisconsin

The Governor of Wisconsin endorses the "blanket" method of securing equal rights for women as "simple, direct, effective."

Members of Congress from Wisconsin testify that the Equal Rights law has worked excellently in practice.

Wisconsin Judges praise its form and its actual operation.

Wisconsin women enthusiastic over results.

NATIONAL WOMAN'S PARTY

25 FIRST STREET N. E. WASHINGTON, D. C.

WISCONSIN was the first state in the Union to take the pioneer step of granting complete equality before the law to its women. It stands in relation to this new phase of the woman movement in the same position as Wyoming, the pioneer suffrage state, stood toward woman suffrage.

Under the laws of Wisconsin today, women stand upon the same basis as men, freed from the ancient discriminations and disabilities which still fetter them in other states. Centuries of legal precedent and tradition, built upon the conception of women as inferior beings, and sanctioning with the majesty of the law the subjection of one-half the race, have been overturned by Wisconsin at one clean stroke.

The successful operation of Wisconsin's Equal Rights law, and its effectiveness in securing equality for women, is evidenced by the striking testimony of the Wisconsin national and state leaders given in the following pages of this leaflet.

The passage of this Equal Rights bill was the result of a campaign by the Woman's Party similar to that now being carried on in other states, as the state legislatures convene. It is the purpose of this campaign to secure for the women of other states the same freedom which the women of Wisconsin now have, and to end the discriminations which still persist to an almost incredible extent, causing injustice and suffering to women as mothers, wives and citizens.

Text of
Wisconsin Woman's Rights Bill

**Passed June 21, 1921,
as the result of the Woman's Party campaign
in Wisconsin.**

SEC. 1. Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purpose, jury service, holding office, holding and conveying property, care and custody of children and in all other respects.

The various courts, executive and administrative officers shall construe the statutes where the masculine gender is used to include the feminine gender unless such construction will deny to females the special protection and privileges which they now enjoy for the general welfare.

The courts, executive and administrative officers shall make all necessary rules and provisions to carry out the intent and purposes of this statute.

SEC. 2. Any woman drawn to serve as a juror, upon her request to the presiding judge or magistrate before the commencement of the trial or hearing, shall be excused from the panel or venire.

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“Simple, Direct, Effective.”—Governor Blaine.

Governor John J. Blaine, of Wisconsin, writing of the actual operation of the Woman's Rights bill as law in his state, says:

“You ask in your letter of January 12 that I give you my opinion as to the value of the Wisconsin equal rights law, present and prospective, in the light of our experience.

“Chapter 529, Laws of 1921, is general legislation, which removes discriminations against women and gives them equal rights before the law, reserving, however, to women the ‘special protection and privileges which they now enjoy for the general welfare.’

“There are two ways by which discriminations against women may be removed and by which equal rights before the law may be conferred. One method is by a general enactment, such as the law to which I refer, and the other method is by amending a multiplicity of special statutes on a variety of subjects treated in the statutes. *The first method is simple and direct; the second is cumbersome, complicated and inconsistent with the amendment to the federal constitution granting full privileges and rights by the fundamental law.*

“Our experience, therefore, convinces us that the general enactment is in complete harmony with the suffrage amend-

ment, and directly effective in establishing full equality of men and women before the law."

"No Effect Whatsoever" on Welfare Laws.—Chairman Wilcox, Wisconsin Industrial Commission.

F. M. Wilcox, chairman of the Wisconsin Industrial Commission, in charge of the administration of Wisconsin's labor laws, gives this emphatic statement to the effect that the equal rights law does not affect in any way the enforcement of the state labor laws for women:

"Answering your inquiry as to the effect of Chapter 529; Laws of 1921, upon the laws which have been enacted for the protection of women employees, allow me to say that this commission believes that this chapter has no effect whatsoever. Chapter 529 is entitled 'An act * * * to remove discriminations against women and to give them equal rights before the law.' The laws which Wisconsin has had on its statute books for some time for the protection of women employees, such as the hours of labor law and the minimum wage law, do not 'discriminate against women,' but rather protect and give them special privileges.

"This commission has enforced the laws which give a special measure of protection to women employees since Chapter 529 became effective in the same manner as heretofore. A considerable number of employers have been called to account for violations of these laws. No employer or his attorney has ever urged, however, that Chapter 529 has set aside the Women's Hours of Labor Law or the Minimum Wage Law. This fact we think significant, especially in view of the fact that articles have appeared in the east which claim that the Women's Rights Bill has swept away

all special legislation for the protection of women. This is a claim which only people who know nothing about our laws have urged.'

“No Suit to Contest Welfare Laws”—Secretary Witte, Wisconsin Industrial Commission.

The Secretary of the Commission, E. E. Witte, also writes that the law has not affected protective legislation for women. He says:

“Replying to your letter of January 14th, allow us to state that no suit has been filed to contest the validity of women’s welfare laws, in view of the passage of the so-called ‘Woman’s Rights Bill’ by the last legislature, *nor has any employers’ association ever suggested that the effect of this Woman’s Rights Bill is to repeal the women’s welfare laws.* A few representatives of women’s organizations have taken this position, but nobody else has done so or is required to do so.”

“The Law Brings a Greater and Fairer Understanding of Domestic Relations.”—Revisor of Statutes Crownhart.

C. H. Crownhart, official Revisor of Statutes for the state of Wisconsin, gives his unqualified endorsement to the Woman’s Bill of Rights and speaks of the general satisfaction throughout the state with its operation. He writes:

“I have your favor asking how the Wisconsin Law giving equal rights to women is working. *I can only say that I hear no complaint against the law from any source. This law works no revolution, but rather an evolution whereby women gradually*

come into their own. They are beginning to serve on juries with satisfaction to the public generally. There are no disturbances in the home or in marriage relations because of the law. As the law becomes more generally known it will be beneficial in its operations. The women make the home and this law will help them establish and keep a home. It is a relic of barbarism that leads some to believe that a husband, no matter how great a tramp he may be, should start out on a vague quest and call upon his wife like a squaw to pack her papoose on her back and follow.

“The law will bring about a greater and fairer understanding of domestic relations both by the parties and by the courts. The Wisconsin Law has proved that we usually suffer more from the fears of what may happen than we do from anything that really does happen. It is a good law. Time may improve it.”

“Just, Sensible, and Practical.”—*Judge Grimm.*

Circuit Court Judge George Grimm, of Jefferson, Wisconsin, gives the following opinion endorsing the operation of the Wisconsin Equal Rights law:

“I am firmly of the opinion that the Act of our last Legislature (Chapter 529), removing legal discriminations against women and granting them equal rights before the law *will work out very well in actual practice.* It no doubt will occasionally result in complications; but, since the aim of our Courts is to give effect to the legislative intent, I have no doubt a way will always be promptly found to meet any seeming complications which may present themselves.

“At any rate, it was the just and sensible thing for our Legislature to do; and I believe it will be found to be the most practical way to accomplish the desired purpose, as well.”

“No Reason Why the Law Should not Accomplish the Desired Results.”—*Judge Fritz.*

Circuit Court Judge Oscar M. Fritz, of Milwaukee, Wis., says:

“No litigation involving the Wisconsin equal rights law has been brought to my attention. I see no reason why the law should not accomplish the results desired by its sponsors. *Its general terms are preferable to attempts at detailed specification.*”

“General Statute like Wisconsin’s Equal Rights Law Better than Attempts to Amend Specific Statutes.”—*Judge Stevens.*

Circuit Court Judge E. Ray Stevens of the Ninth Judicial District of Wisconsin says:

“I have had no occasion to apply the Wisconsin equal rights law, aside from having women on our jury panel. I was pleased to note that women made very attentive and careful jurors, being the peers in every way of the men on the panel. They were as readily accepted as jurors as were the men.

“I believe that a general statute like our Wisconsin act is better than a law which attempts to amend all existing statutes affecting women. In every such attempt at amendment, it would be well nigh impossible to find and properly amend every provision of statute that should be amended to make a complete and harmonious statute. By enacting a single law clearly evidencing the legislative intent, it must be held that

all conflicting acts existing at the time of the passage of such general act are either repealed or amended so as to bring all existing laws into harmony with the legislative intent expressed in the general act."

"Women Jurors Serve with Universal Approval of Bench and Bar."—Judge Quinlan.

Circuit Court Judge William B. Quinlan of Marinette, Wisconsin deals with the provision of the Equal Rights law which permits women to serve on juries, and indicates his approval of this provision and of the way in which it is worked out:

"I have had no occasion to pass upon any law referring to equal rights for women except as it has come up in my work in the trial of cases where women have been selected as jurors.

"I have had experience with women jurors in the trial of cases in Milwaukee and I am favorably impressed with the manner in which they have performed the service. In fact I think that the women serving on juries have met with the universal approval of the bench and bar of this state. *I have talked with many judges and attorneys and I have not heard any one of them speak disparagingly as to the results accomplished by the service of women in this sphere. In fact they are all enthusiastically commending their work.*

"In my own circuit I have appointed a woman jury commissioner in each county, as I feel that the services of women should not only be represented in the jury venire but that placing a woman on the jury commission in each county brings the jury commission in closer touch with the women and there is no question but what a woman can select jurors

from her own sex with more efficiency than men can. I see no reason why, under the law, women should not freely receive what the legislature intended, that is, equal rights with men. There should be no discrimination against them in any way, shape or manner, and by giving them this privilege of serving as jurors and commissioners we recognize the spirit of this law.

“I am today opening my February term of court at Oconto, and I find that out of the regular venire of thirty-six names, sixteen of them are women, and while this is not quite a fifty-fifty proposition it will undoubtedly result in that in time after the jury commissioners have placed names in the jury box and the names become equalized.”

“Deeply Gratified with Passage of Equal Rights Bill.”—*Senator La Follette.*

Senator Robert M. LaFollette, of Wisconsin, wired upon the passage of the bill:

“I am deeply gratified to learn that the Wisconsin legislature has passed a bill granting equal rights to women for which they have been fighting so many years.”

“I Heartily Favor the Principle of Wisconsin Equal Rights Law.”—*Senator Lenroot.*

Senator Irvine L. Lenroot writes regarding the equal rights law:

“I am in favor of all necessary legislation to secure complete political equality among women. I am in favor of equality in all other respects to the extent that there shall be no destruction

of safeguards and protection justified by difference in sex, which have been secured through many years of struggle. I have not had opportunity to study the Wisconsin law in detail and its application to other statutes of the State, but *I heartily favor the principle; and there should be no difficulty in its application without destroying special protective legislation for women necessary for the welfare of the race.*"

**"The Law is Entirely Just—an Incident in the Inevitable Forward Movement of Mankind."—
Congressman Cooper.**

Congressman Henry Allen Cooper, of the First District of Wisconsin, writes endorsing the bill as follows:

"I am glad that Wisconsin has passed a law granting women full rights with men. This legislation is, in principle, entirely just. I know of no logical reason why there should, in matters of citizenship, be any discrimination against the women of the United States. Since the law was enacted my congressional duties have kept me almost constantly in Washington, so that I have personally seen very little of its practical workings. It seems, however, to be well drawn and will not, in my judgment, in any wise affect other laws enacted especially to protect women in industry. *The Wisconsin statute merely places men and women on an equal footing as citizens, and is, therefore, only an incident in the inevitable forward movement of mankind.*"

**"I Heartily Endorse the Equal Rights Bill"—
Congressman Voight.**

Congressman Edward Voight, of Second District of Wisconsin, says:

"I heartily endorse the Wisconsin Equal Rights Bill, *as I favor all necessary legislation to put men and women on a basis of political equality.* I am also in favor of legislation which will put women on the same basis as men in matters affecting property. I realize that in framing and passing legislation of this character regard must be had to the differences in the sexes, and I am satisfied that the Wisconsin law will not affect legislation for the protection of women in industry."

"An Enlightened Measure Which Works Excellently in Practice"—Congressman John M. Nelson.

Congressman Nelson of the Third District of Wisconsin gives his hearty approval to the Woman's Bill of Rights in the following statement:

"I am indeed glad that Wisconsin has been the first state of the Union to recognize the principle of equality under the law for women with men. Our Equal Rights law has worked out excellently in practice. Unjust discriminations against women have been removed, while safeguards erected for the protection of women in industry have not been affected in any way. *The measure is an enlightened one, in accord with twentieth century thought, and one which I am sure will recommend itself to progressive legislators everywhere.*"

"Operating Satisfactorily"—Congressman Kleczka.

Congressman John C. Kleczka, of the Fourth District of Wisconsin, writes:

"I am happy to note that Wisconsin is the pioneer state in enacting legislation that will remove all discriminations and civil, political and legal disabilities against women. As far as I am informed, the Wisconsin Act is operating satisfactorily, and I am confident that the so-called Welfare Legislation for women will not be affected by this measure."

**"Heartily Approve; Delighted with the Law"—
*Congressman Lampert.***

Congressman Florian Lampert, of the Sixth District of Wisconsin, states his hearty approval of the Woman's Bill of Rights:

"I heartily approve and am delighted with the passage of Chapter 529, General Laws of Wisconsin, 1921, known as the law giving women equal rights with men. I am convinced that legislation of this kind will not affect present laws regarding special legislation for women. *A greater and fairer understanding of domestic relations will be brought about by this law. Since the adoption of the Woman Suffrage Amendment it seems to me that every state should grant women equal rights with men.*"

"Pleased with Equal Rights Law"—*Congressman Beck.*

Congressman J. D. Beck, of the Seventh District of Wisconsin, says:

"I am pleased to know that Wisconsin has passed a law granting equal rights to women and that, up to date, it is working out wholly satisfactorily. It has been suggested that

this law may mean the 'nullification of special legislation already enacted in the interest of women,' such as minimum wage, eight hour laws, laws governing the sanitary conditions surrounding women workers. But such laws are not enacted primarily for the benefit of women workers. They are enacted for the benefit of the human race, for future generations. They are enacted for the purpose of building up a strong, rugged, healthy people, and this can only mean that such laws are as much for the benefit of men as for women. Therefore I am confident such laws will be upheld."

**"Right in Principle, Works Well in Practice"—
*Congressman Browne.***

Congressman Edward E. Browne, of the Eighth District of Wisconsin, gives the following endorsement of the Woman's Bill of Rights:

"I have been asked many times about the Wisconsin Equal Rights law which was enacted June 21, 1921; and I have always been glad to give my testimony to the effect that the Wisconsin law is right in principle and works well in practice. With the 19th amendment a part of our constitution it is an anomaly to deny to voting citizens subordinate rights on account of sex. The Wisconsin Legislature, in keeping with the constitution, declares that women shall have the same rights and privileges as men. *There never has been a good reason and there certainly is no excuse or justification at the present time with the Nineteenth amendment in force for denying women the rights and privileges of men*, while reserving for women the special protection and privileges which they now enjoy for the general welfare."

**“I Endorse the Principle and the Legislation”—
Congressman Classon.**

Congressman David G. Classon, of the Ninth District of Wisconsin, says:

“I am glad Wisconsin was the first state to give women equal rights under the laws with men. I endorse the principle and the legislation.”

**“I Approve of the Wisconsin Law”—Congressman
Frear.**

Congressman James A. Frear, of the Tenth District of Wisconsin, makes the following statement:

“I am in favor of the general proposition of equal legislation for women, and approve of the Wisconsin law as passed.”

“A Good Law”—Congressman A. P. Nelson.

Congressman A. P. Nelson, of the Eleventh District of Wisconsin, gives his approval to the bill passed, on information received from his district:

“This is to certify that it is my belief, from general information received from my district and from Wisconsin as a State, that Chapter 529, General Laws of Wisconsin, 1921, known as the law giving women equal rights with men, is generally accepted as a good law. It is a law which I believe women are entitled to under our general scheme of government, declaring equal rights to every citizen. *Since the adoption of the Woman Suffrage Amendment to our National Constitution it would seem logical that every state would grant women absolute equal rights with men.* The law is so drawn as not to affect in any way the special legislation granted women in the interest of general welfare.”

Glimpses into the Law in Practice

Concrete Instances of the Value of the Equal Rights Law, from the Treasurer of the Wisconsin Branch of the Woman's Party:

Mrs. Max Rotter, of Milwaukee, writes of actual cases in which the Equal Rights law prevented discriminations against women:

"The Equal Rights Law has again been of service to us in two instances, which have just occurred.

"The first instance was one in which the Civil Service Commission of Milwaukee had ruled that *married* women were not eligible to take civil service examinations.

"Various women protested, and with the backing of Mayor Hoan, and Assistant City Attorney Babcock, both of whom said that this ruling was in direct violation of the Equal Rights Law (chapter 529), after several meetings and much argument gained their point.

"The second instance was in regard to two new policewomen. Women had worked hard for the establishment of these posts. Imagine their dismay when it was announced in the newspapers that *married* women would be barred!

"The women again protested. The city officials replied that the newspapers had misstated the case, and *that the Equal Rights Law would not permit them to discriminate against married women.*"

Eight Months' Experience of the Equal Rights Law

Statement from the Chairman of the Wisconsin Branch of the Woman's Party:

Mrs. Frank Putnam, of Milwaukee, who as Wisconsin chairman of the Woman's Party, directed the successful campaign for the equal rights law, reports its efficient operation:

"Eight months' experience of Wisconsin's equal rights law—the act conferring upon women equal personal and property rights with men, has been notable for the appearance of women on juries, in both civil and criminal cases, in many of the counties of the state, especially in the larger cities.

"The press of the state, watchful to report anything sensational that might develop in connection with the service of women on juries, has found nothing of that nature to report. Women juries have served as quietly and competently as men. They are praised by the courts for their intelligent service. Judge Belden, of Kenosha, says that they have distinctly elevated the tone of court procedure. Women have been, as was expected, most interested in cases affecting the personal and property rights of women and children.

"Fears expressed (by opponents of the law) that women jurors might be subjected to discomforts or indignities,

have of course, proven groundless. Wisconsin court officials have treated women serving on juries most courteously.

“With regard to the other rights and privileges granted women by the Wisconsin law, nothing has come to public attention indicating that these new rights have made Wisconsin women any less regardful of their domestic ties; no case featuring any of these new rights has been reported in print.

“Wisconsin women generally are aware of their new rights. The subject has been discussed in their clubs and associations amid general rejoicing; and through the medium of neighborhood gossip the news of woman’s emancipation from a subject position under the laws has reached even the remotest corners of the state. Letters from farm women, some of them very old women, expressing a profound pride in their state as the first to confer equal rights upon all women, have come to me.

There has been some talk among elements hostile to social change of an attempt to have the law repealed, or amended adversely, but there isn’t a possibility of any such action being taken by the next or any later Wisconsin legislature. Leaders of all political parties and factions recognize that the new law has come to stay—that it represents a permanent step forward, never to be retraced.

“Wisconsin women are little, if any, more actively interested in politics than they were before the Equal Rights law was passed; but the politicians of all groups fully understand that women as voters would become instantly aroused by any attempt to legislate them back into the condition of legal inferiority from which they have emerged.”

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NATIONAL WOMAN'S PARTY

Headquarters: 25 First St. N. E., Washington, D. C.

ARE you willing to help the women of your state and of the whole nation to win the same rights that have been won in Wisconsin? If so, will you not give your support to the Woman's Party campaign for full civil, political and legal freedom for women? You can join the Woman's Party and share in this campaign by mailing the membership blank below, with your dues enclosed, to the National Headquarters.

OBJECT: The removal of all forms of the subjection of women.

MEMBERSHIP: Open to all women who will work for this object without regard to interests of any political party.

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1. CAMPAIGN MEMBERSHIP—\$1.00 a year, shared equally between state and national headquarters.
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I hereby enroll as a.....member, enclosingdues.

Name

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